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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 + 7 References
+ Search Report

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada, et al
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/Declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | PTO-1449
7 references
European Search Report
Return Postcard |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input type="checkbox"/> Response to Missing Parts/
Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under
37 CFR 1.52 or 1.53 | | |

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature			
Date	August 26, 2003		

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

August 26, 2003

Name (Print/Type)	Allan Ratner	Date	August 26, 2003
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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MTS-3270US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/935,027
Applicant: Mikihiro Shimada, et al
Filed: August 22, 2001
Title: OPTICAL ELEMENT AND METHOD OF FABRICATION THEREOF
TC/A.U.: 2872
Examiner: Euncha P. Cherry

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 58-113,903
- 2) 06-194,536

References 1) and 2) include an English language abstract.

Also, References 1) and 2) were cited in a search report by a foreign patent office in a patent application corresponding to the above-identified patent application. A copy of this search report, which indicates the degree of relevance found by the foreign office, is transmitted herewith.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice

of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Allan Rather, Reg. No. 19,717
Attorney for Applicants

AR:ds

Enclosures: PTO Form 1449
(7) References
Search Report
Transmittal Form

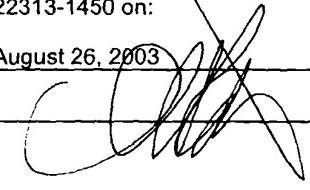
Dated: August 26, 2003

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Valley Forge, PA 19482
(610) 407-0700

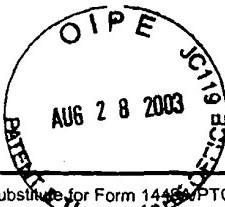
The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

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August 26, 2003







(AW 08/03)

Substitute for Form 1449A-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 2

Complete If Known

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada, et al
Art Unit	2872
Examiner Name	Euncha P. Cherry

Attorney Docket No. MTS-3270US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,675,691	10-07-1997	Johannes Edlinger et al	Abstract, Col.3, ¶¶5-6, Col.4, Lines 46-51, Col. 5, Lines 29-61, Col.6, ¶¶1-3, Figs. 2B-C, 5-8
		US-4,886,538	12-12-1989	Amaresh Mahapatra	Abstract, Col.1, Line 54, Col. 5, ¶2, Figs. 1-3
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		JP 58-113903 (English abstract only)	07/07/1983	Fujitsu Ltd.	Abstract, Fig. 1	<input type="checkbox"/>
		JP 06-194536 (with English abstract)	07/15/1994	Nippon Telegr & Teleph Corp>	Abstract, ¶¶0006!, 0011!, '0012!, '0021!, Figs. 2,7	<input type="checkbox"/>
		GB 2-133-900A	08/01/1984	The Marconi Company Limited	Abstract, page 2, line 9-last paragraph, page 3, last paragraph, page 4, paragraph 1	<input type="checkbox"/>
		EP 0-297-652	01/04/1981	N.V. Philips	Abstract, Col.3, Lines 10-20, Col. 3, Lines 40-57, Col. 4, ¶3, Fig. 1H	<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature	Date Considered	- - -
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(AW 08/03)

Substitute for Form 1449B/PTC

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada, et al
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

1Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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